

## **REMARKS/ARGUMENTS**

The Applicants originally submitted Claims 1-20 in the Application. In the present response, no Claims have been amended, canceled, or added. Accordingly, Claims 1-20 are currently pending in the Application.

### **I. Rejection of Claims 1-3, 6-10, and 13-14 under 35 U.S.C. §103**

The Examiner has rejected Claims 1-3, 6-10, and 13-14 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2002/0110086 by Reches (hereinafter "Reches") in view of U.S. Patent No. 5,412,648 to Fan (hereinafter "Fan"). The Applicants respectfully disagree since the cited portions of the cited combination of Reches and Fan, as applied by the Examiner, do not teach or suggest each of  $n$  outputs having  $n$  crossbar FIFOs interposing corresponding ones of  $n$  inputs and a destination FIFO as recited in independent Claims 1 and 8.

At the bottom of page 2 to the top of page 3 of the pending Final Rejection, the Examiner states:

"Reches further discloses each of the outputs having a destination FIFO and  $n$  crossbar FIFOs interposing corresponding ones of the  $n$  inputs and destination FIFO (See page 4 paragraph 52, page 4 paragraph 55, and Figure 1 of Reches for reference to each output port having at least one output queue, which is an output FIFO, and for reference to input ports maintaining an output queue for each possible output port, meaning for each output port there are  $N$  queues corresponding to each of the  $N$  inputs and interposed between corresponding ones of the  $N$  inputs and the destination FIFOs)."

It appears the Examiner is equating the teaching in paragraph [0052] that "...Each output port can have at least one output queue..." to the claimed destination queue of each output. It also appears the Examiner is equating queues  $Q(M,1)$ - $Q(M,N)$  21-29 taught in paragraph [0055] and shown in

Fig. 1 to the claimed  $n$  crossbar FIFOs interposing corresponding ones of  $n$  inputs and the destination FIFO.

Fig. 1 of Reches shows that each input port (10-19) has queues  $Q(M,1)$  through  $Q(M,N)$  connected to an input where each of the queues  $Q(M,1)$  through  $Q(M,N)$  corresponds to an output port 1 through  $N$ . That is, each input port has specific queues for each output of multiport switch 9 where each queue is interposed between the input and the output ports (through configurable switch unit 50). Claims 1 and 8 recite “ $n$  crossbar FIFOs interposing corresponding ones of said  $n$  inputs and said destination FIFO” (*emphasis added*). That is, as shown in Fig. 2 of the originally filed specification, each output (output 1, output 2, and output 3 depicted in Fig. 2) has a respective destination FIFO (DEST FIFO 216, DEST FIFO 226, and DEST FIFO 236 depicted in Fig. 2). Each destination FIFO has  $n$  crossbar FIFOs that are interposed between the respective destination FIFO and each (every) input (input 1, input 2, and input 3 depicted in Fig. 2).

Fig. 1 of Reches does not teach crossbar FIFOs interposed between a respective destination FIFO and each input. On the contrary, Fig. 1 of Reches teaches that queues  $Q(M,1)$  through  $Q(M,N)$  in each input port are interposed only to one input. As such, the cited portion of Reches does not teach or suggest each of  $n$  outputs having  $n$  crossbar FIFOs interposing corresponding ones of  $n$  inputs and a destination FIFO.

Fan has not been cited to cure the above-noted deficiencies of Reches but to teach “scheduling packets to be transmitted through a switch only when a destination FIFO and an interposing crossbar FIFO have sufficient memory at the same time to receive and then contain an entirety of a packet.” (See Final Rejection of August 13, 2009, page 4.) As such, the cited portions

of the cited combination of Reches and Fan do not provide a *prima facie* case of obviousness for pending independent Claims 1 and 8 and Claims that depend thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 1-3, 6-10, and 13-14 and allow issuance thereof.

## **II. Rejection of Claims 4-5 and 11-12 under 35 U.S.C. §103**

The Examiner has rejected Claims 4-5, and 11-12 under 35 U.S.C. §103(a) as being unpatentable over Reches in view of Fan and in further view of U.S. Patent No. 6,975,638 to Chen, *et al.* (hereinafter "Chen"). As established above, the cited portions of the cited combination of Reches and Fan do not provide a *prima facie* case of obviousness for pending independent Claims 1 and 8. Chen has not been cited to cure the above-noted deficiencies of the cited combination of Reches and Fan but to teach a crossbar switch with inputs connected to Gigabit Ethernet networks and a SONET network. (*See* Final Rejection of August 13, 2009, page 6.) As such, the cited portions of the cited combination of Reches, Fan, and Chen, as applied by the Examiner, do not provide a *prima facie* case of obviousness for pending independent Claims 1 and 8 and Claims that depend thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 4-5 and 11-12 and allow issuance thereof.

## **III. Rejection of Claims 15-17 and 20 under 35 U.S.C. §103**

The Examiner has rejected Claims 15-17, and 20 under 35 U.S.C. §103(a) as being unpatentable over Reches in view of Fan and in further view of U.S. Patent No. 5,905,873 to

Hartmann, *et al.* (hereinafter "Hartmann"). As established above, the cited portions of the cited combination of Reches and Fan do not provide a *prima facie* case of obviousness for pending independent Claims 1 and 8. Analogously, the cited portions of the cited combination of Reches and Fan do not provide a *prima facie* case of obviousness of pending independent Claim 15. Hartmann has not been cited to cure the above-noted deficiencies of the cited combination of Reches and Fan but to teach network processors coupled to corresponding physical interfaces that convert received packets between protocols. (*See* Final Rejection of August 13, 2009, page 10.) As such, the cited portions of the cited combination of Reches, Fan, and Hartmann, as applied by the Examiner, do not provide a *prima facie* case of obviousness for pending independent Claim 15 and Claims that depend thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 15-17 and 20 and allow issuance thereof.

#### **IV. Rejection of Claims 18-19 under 35 U.S.C. §103**

The Examiner has rejected Claims 18-19 under 35 U.S.C. §103(a) as being unpatentable over Reches in view of Fan and Hartmann and in further view of Chen. As established above, the cited portions of the cited combination of Reches, Fan, and Hartmann do not provide a *prima facie* case of obviousness for pending independent Claim 15. Chen has not been cited to cure the above-noted deficiencies of the cited combination of Reches, Fan, and Hartmann but to teach to teach at least two of the *n* inputs are coupled to different types of packet based networks with the inputs and outputs being connected to a SONET network and two Ethernet networks. (*See* Final Rejection of August 13, 2009, page 12.) As such, the cited portions of the cited combination of Reches, Fan, Hartmann,

and Chen, as applied by the Examiner, do not provide a *prima facie* case of obviousness for pending independent Claim 15 and Claims that depend thereon. Accordingly, the Applicants respectfully request the Examiner to withdraw the §103(a) rejection of Claims 18-19 and allow issuance thereof.

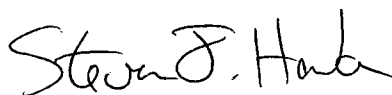
#### **V. Conclusion**

In view of the foregoing remarks, the Applicants now see all of the claims currently pending in this Application to be in condition for allowance and therefore earnestly solicit a Notice of Allowance for Claims 1-20.

The Applicants request the Examiner to telephone the undersigned agent of record at (972) 480-8800 if such would further or expedite the prosecution of the present Application. The Commissioner is hereby authorized to charge any fees, credits or overpayments to Deposit Account 08-2395.

Respectfully submitted,

**HITT GAINES, P.C.**

A handwritten signature in black ink, appearing to read "Steven J. Hanke". The signature is fluid and cursive, with the first name "Steven" and last name "Hanke" clearly distinguishable.

Steven J. Hanke  
Registration No. 58,076

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P.O. Box 832570  
Richardson, Texas 75083  
(972) 480-8800